

5872

2011-2012 Regular Sessions

I N   S E N A T E

August 17, 2011

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Introduced by Sen. MARCELLINO -- read twice and ordered printed, and  
when printed to be committed to the Committee on Rules

AN ACT to amend the real property tax law, in relation to payment in  
lieu of taxes agreements

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The real property tax law is amended by adding a new arti-  
2     cle 3-A to read as follows:

3                                     ARTICLE 3-A

4                     PAYMENT IN LIEU OF TAXES AGREEMENTS

5     SECTION 370. PAYMENT IN LIEU OF TAXES AGREEMENTS.

6     S 370. PAYMENT IN LIEU OF TAXES AGREEMENTS. 1. FOR THE PURPOSES OF  
7     THIS SECTION:

8     (A) "LOCAL GOVERNMENT" SHALL MEAN ANY MUNICIPAL CORPORATION AS DEFINED  
9     PURSUANT TO SECTION TWO OF THE GENERAL MUNICIPAL LAW OR ANY SCHOOL  
10    DISTRICT OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES.

11    (B) "PAYMENT IN LIEU OF TAXES AGREEMENT" OR "PILOT AGREEMENT" SHALL  
12    MEAN AN AGREEMENT ENTERED INTO BETWEEN A LOCAL GOVERNMENT AND ANOTHER  
13    PARTY WHEREBY SUCH OTHER PARTY COMPENSATES SUCH LOCAL GOVERNMENT FOR  
14    SOME OR ALL OF THE TAX REVENUE LOST DUE TO THE NATURE OF THE USE OR  
15    OWNERSHIP OF A PARCEL OF REAL PROPERTY BY SUCH OTHER PARTY. THE AMOUNT  
16    OF SUCH PAYMENT IN LIEU OF TAXES IS BASED ON AN ASSESSMENT OF SUCH  
17    PARCEL OF REAL PROPERTY.

18    2. IF THE AMOUNT OF ANY PAYMENT IN LIEU OF TAXES IS REDUCED, DUE TO A  
19    REASSESSMENT OF THE PARCEL OF REAL PROPERTY SUCH AGREEMENT IS RELATED  
20    TO, AND SUCH REDUCTION WOULD NEGATIVELY IMPACT THE TOTAL REVENUE OF ANY  
21    LOCAL GOVERNMENT BY MORE THAN FIVE PERCENT, SUCH REDUCTION IN PAYMENTS  
22    IN LIEU OF TAXES SHALL BE PHASED IN OVER A TEN YEAR PERIOD.

23    S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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